

Panaji, 15th September, 1977 (Bhadra 24, 1899)

SERIES I No. 24

OFFICIAL GAZETTE

GOVERNMENT OF GOA, DAMAN AND DIU

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Home Department (Transport and Accommodation)

Notification

HD(TA-TPt)/11-52/75

The following draft amendment which is proposed to be made to the Goa, Daman and Diu Motor Vehicles Rules, 1965 is hereby prepublished as required by sub-section (1) of section 133 of the Motor Vehicles Act, 1939 (4 of 1939), for information of the persons likely to be affected thereby and notice is hereby given that the said draft amendment will be taken into consideration by the Government on the expiry of thirty days from the date of publication of this Notification in the Official Gazette.

All objections and suggestions to the draft amendment may be forwarded to the Under Secretary to the Government of Goa, Daman and Diu, Home Department, Secretariat, Panaji, before the expiry of thirty days from the date of publication of this Notification in the Official Gazette.

DRAFT AMENDMENT

In exercise of the powers conferred by clause (y) of section 68 of the Motor Vehicles Act, 1939 (4 of 1939), as applicable to the Union territory of Goa, Daman and Diu and all other powers enabling him in that behalf, the Lieutenant Governor of Goa, Daman and Diu hereby makes the following rules so as to further amend the Goa, Daman and Diu Motor Vehicles Rules, 1965, namely:—

1. *Short title and commencement.*—(1) These rules may be called the Goa, Daman and Diu Motor Vehicles (

Amendment) Rules, 1977.

(2) They shall come into force at once.

2. *Insertion of new Rule 5.56A.*—After Rule 5.56 of the Goa, Daman and Diu Motor Vehicles Rules, 1965 the following shall be inserted, namely:—

“5.56A. *Spare seat in the cabin.*—Every goods vehicle in respect of which a National Permit or a Composite permit has been issued shall be fitted with an additional seat in cabin fitted

across the full width of the vehicle behind the driver's seat to provide facilities for the spare Driver to sleep.”

By order and in the name of the Lieutenant Governor of Goa, Daman and Diu.

K. B. Verekar, Under Secretary (Home).

Panaji, 8th September, 1977.

Local Self Government Department

Notification

7-6-76-LSG

In exercise of the powers conferred on him in the Schedule [Part III, Sr. No. XV(iii)] to the Central Civil Services (Classification, Control and Appeals) Rules, 1965 as approved by the Notification No. 7/3/68-Estts(A) dated 21-8-71 from the Government of India, Cabinet Secretariat, Department of Personnel, New Delhi, the Administrator of Goa, Daman and Diu hereby specifies the Director of Provedoria (Institute of Public Assistance) as the Appointing and Disciplinary Authority under the said Rules for Group 'C' and Group 'D' (Class III and Class IV) posts in the Institute of Public Assistance.

The Secretary (Revenue) will be the appellate authority in respect of such posts.

This supersedes the Government's Order No. IPA-385-66 dated 27th September, 1966 published in the Official Gazette No. 27, Series I, dated 6th October, 1966 to the extent provided in the present order.

By order and in the name of the Administrator of Goa, Daman and Diu.

F. A. Figueiredo, Under Secretary, Development.

Panaji, 29th August, 1977.

Law and Judiciary Department

Notification

LD/4050/VII/76

The following Central Bills 1) The Comptroller and Auditor-General's (Duties, Powers and Condi-

tions of Service) Amendment Bill, 1976 and 2) The Departmentalisation of Union Accounts (Transfer of Personnel) Bill, 1976 which were recently passed by the Parliament and assented to by the President of India on 8-4-1976 and published in the Gazette of India Part II, Section I dated 8-4-1976 are hereby republished for general information of the public.

M. S. Borkar, Under Secretary (Law).

Panaji, 1st September, 1976.

The Comptroller and Auditor-General's (Duties, Powers and Conditions of Service) Amendment Act, 1976

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to amend the Comptroller and Auditor-General's (Duties, Powers and Conditions of Service) Act, 1971.

Be it enacted by Parliament in the Twenty-seventh Year of the Republic of India as follows:—

1. Short title and commencement.—(1) This Act may be called the Comptroller and Auditor-General's (Duties, Powers and Conditions of Service) Amendment Act, 1976.

(2) It shall be deemed to have come into force on the 1st day of March, 1976.

2. Amendment of section 10.—In section 10 of the Comptroller and Auditor-General's (Duties, Powers and Conditions of Service) Act, 1971 (hereinafter referred to as the principal Act), in sub-section (1),—

(a) for the first proviso, the following provisos shall be substituted, namely:—

“Provided that the President may, after consultation with the Comptroller and Auditor-General, by order, relieve him from the responsibility for compiling—

(i) the said accounts of the Union (either at once or gradually by the issue of several orders); or

(ii) the accounts of any particular services or departments of the Union:

Provided further that the Governor of a State may, with the previous approval of the President and after consultation with the Comptroller and Auditor-General, by order, relieve him from the responsibility for compiling—

(i) the said accounts of the State (either at once or gradually by the issue of several orders); or

(ii) the accounts of any particular services or departments of the State;”;

(b) in the second proviso, for the words “Provided further”, the words “Provided also” shall be substituted.

3. Amendment of section 11.—In section 11 of the principal Act,—

(a) for the words “by any other person responsible in that behalf”, the words “by the Go-

vernment or any other person responsible in that behalf” shall be substituted;

(b) the following provisos shall be inserted at the end, namely:—

“Provided that the President may, after consultation with the Comptroller and Auditor-General, by order, relieve him from the responsibility for the preparation and submission of the accounts relating to annual receipts and disbursements for the purpose of the Union or of a Union territory having a Legislative Assembly:

Provided further that the Governor of a State may, with the previous approval of the President and after consultation with the Comptroller and Auditor-General, by order, relieve him from the responsibility for the preparation and submission of the accounts relating to annual receipts and disbursements for the purpose of the State.”.

4. Amendment of section 22.—In section 22 of the principal Act,—

(a) in clause (b) of sub-section (2), after the words “the accounts of”, the words “the Union or of a State or of” shall be inserted;

(b) in sub-section (3), for the words “in two successive sessions”, the words “in two or more successive sessions”, and for the words “the session in which it is so laid or the session immediately following”, the words “the session immediately following the session or the successive sessions aforesaid” shall be substituted.

5. Repeal and saving.—(1) The Comptroller and Auditor-General's (Duties, Powers and Conditions of Service) Amendment Ordinance, 1976, is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken under the principal Act, as amended by the said Ordinance shall be deemed to have done or taken under the principal Act as amended by this Act.

The Departmentalisation of Union Accounts (Transfer of Personnel) Act, 1976

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to provide for the transfer of officers serving in the Indian Audit and Accounts Department to any Ministry, Department or office of the Central Government for facilitating the efficient discharge by such Ministry, Department or office of the responsibility in connection with compiling the accounts thereof.

Be it enacted by Parliament in the Twenty-seventh Year of the Republic of India as follows:—

1. Short title and commencement.—(1) This Act may be called the Departmentalisation of Union Accounts (Transfer of Personnel) Act, 1976.

(2) It shall be deemed to have come into force on the 1st day of March, 1976.

2. Transfer of officers and employees of the Indian Audit and Accounts Department.—(1) Where the President has, by order under the first proviso to sub-section (1) of section 10 of the Comptroller and Auditor-General's (Duties, Powers and Conditions of Service) Act, 1971, provided for relieving, with effect from any date (hereinafter referred to as the prescribed date), the Comptroller and Auditor-General from the responsibility for compiling any accounts of the Union or of any services or departments of the Union as may be specified in such order, then, subject to the provisions of this Act, it shall be lawful for the Central Government, on the advice of a Committee established under sub-section (2), to transfer, by order and with effect from such date or dates (which may be either retrospective to any date not earlier than the prescribed date or prospective) as may be specified in the order, to any Ministry or Department of the Central Government or any of its attached or subordinate offices, any of the officers or employees serving in the Indian Audit and Accounts Department, for the purpose of facilitating the efficient discharge by such Ministry, Department or office of the responsibility of compiling such accounts:

56 of 1971.

Provided that no order under this sub-section shall be made in relation to any such officer or employee serving in the Indian Audit and Accounts Department who has, in respect of the proposal made on the advice of the Committee to transfer such officer or employee under this sub-section, intimated, within such time as may be specified in this behalf his unwillingness to be so transferred, unless the Central Government is of opinion that it is necessary in the public interest to transfer such officer or employee as aforesaid:

Provided further that nothing in this sub-section shall affect the right of any such officer or employee to resign or retire from service in accordance with the rules applicable to him in the Indian Audit and Accounts Department.

(2) The Central Government may, by order, establish one or more Advisory Committee consisting of such number of members as it thinks fit for the purpose of assisting it in regard to the transfer of officers and employees under sub-section (1).

(3) An officer or other employee transferred to any Ministry, Department or office of the Central Government by an order made under sub-section (1) shall, on and from the date of transfer, cease to be an officer or employee in the Indian Audit and Accounts Department and shall, subject to the provisions of sub-section (4) and of any law or rules made under Chapter I of Part XIV of the Constitution, hold office in such Ministry, Department or office with such designation as the Central Government may specify.

(4) Every officer or employee transferred under sub-section (1) shall be entitled to be appointed to a post carrying a scale of pay not less favourable than that of the post which he held immediately before the date of such transfer and in the same capacity (whether substantive or officiating) in which he held the post last mentioned:

Provided that if immediately before the date of such transfer any such officer or employee is officiating in a higher post in the Indian Audit and Accounts Department either in a leave vacancy or in any other vacancy of a specified duration, his pay, on transfer, shall be protected for the unexpired period of such vacancy.

3. Repeal and saving.—(1) The Departmentalisation of Union Accounts (Transfer of Personnel) Ordinance, 1976, 2 of 1976, is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken under the said Ordinance shall be deemed to have been done or taken under the corresponding provisions of this Act.